

Conference Engrossed

State of Arizona
Senate
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CHAPTER 322

SENATE BILL 1285

AN ACT

AMENDING SECTIONS 16-168, 16-311, 16-312, 16-315, 16-344, 16-558.02, 16-902.01, 19-114, 19-121.02, 19-204 AND 19-212, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-168, Arizona Revised Statutes, is amended to
3 read:

4 16-168. Precinct registers; date of preparation; contents;
5 copies; reports; violation; classification

6 A. By the tenth day preceding the primary and general elections the
7 county recorder shall prepare from the original registration forms or from
8 electronic media at least four lists that are printed or typed on paper of
9 all qualified electors in each precinct in the county, and such lists shall
10 be the official precinct registers.

11 B. The official precinct registers for use at the polling place shall
12 contain at least the names in full, party preference, date of registration
13 and residence address of each qualified elector in the respective precincts.
14 Such names shall be in alphabetical order and, in a column to the left of the
15 names, such names shall be numbered consecutively beginning with number 1 in
16 each precinct register.

17 C. For purposes of transmitting voter registration information as
18 prescribed by this subsection, computer generated disks or computer software
19 with at least six hundred forty megabytes of storage in counties with a
20 population over five hundred thousand in the last decennial census shall be
21 the principal media. A county or state chairman who is eligible to receive
22 copies of precinct registers as prescribed by this subsection may request
23 that the recorder provide a paper copy of the precinct registers. The county
24 recorder shall, in addition to preparing the official precinct registers,
25 provide a means for mechanically or electronically reproducing the precinct
26 registers and shall unless otherwise agreed deliver within eight days after
27 the close of registration for the primary and general elections, without
28 charge, on the same day one electronic media copy of each precinct register
29 within the county to the county chairman and one electronic media copy to the
30 state chairman of each party which has at least four candidates other than
31 presidential electors appearing upon the ballot in that county at the current
32 election. The county recorder shall also, upon request and without charge,
33 deliver one electronic media copy of the precinct register to the Arizona
34 legislative council. The county recorder of a county with a population of
35 fewer than four hundred thousand persons shall, on the same day precinct
36 registers are delivered to county chairmen, deliver one electronic media copy
37 of each precinct register within the county to the state chairman of each
38 party which has at least four candidates other than presidential electors
39 appearing on the ballot in this state at the current election. The copies
40 of the precinct registers shall be on magnetic computer disks or computer
41 software with at least six hundred forty megabytes of storage which shall
42 include for each elector the following information:

- 43 1. Name in full and appropriate title.
44 2. Party preference.
45 3. Date of registration.

1 4. Residence address.

2 5. Mailing address, if different from residence address.

3 6. Zip code.

4 7. Telephone number if given.

5 8. Birth year.

6 9. Occupation.

7 10. Primary election and general election voting history for the prior
8 four years and any other information regarding registered voters which the
9 county recorder or city or town clerk maintains on magnetic computer disks
10 or computer software and which is public information.

11 D. The names on the precinct registers shall be in alphabetical order
12 and the precinct registers in their entirety shall unless otherwise agreed
13 be delivered to each county chairman and each state chairman at least
14 quarterly and within ten business days of the close of each quarter in the
15 same format and media as prescribed by subsection C of this section.

16 E. Precinct registers and other lists and information derived from
17 registration forms may be used only for purposes relating to a political or
18 political party activity, a political campaign or an election, for revising
19 election district boundaries or for any other purpose specifically authorized
20 by law and may not be used for a commercial purpose as defined in section
21 39-121.03. The sale of registers, lists and information derived from
22 registration forms to a candidate or a registered political committee for a
23 use specifically authorized by this subsection does not constitute use for
24 a commercial purpose. The county recorder, on a request for an authorized
25 use and within thirty days from receipt of the request, shall prepare
26 additional copies of an official precinct register and furnish them to any
27 person requesting them on payment of a fee equal to five cents for each name
28 appearing on the register for a printed list and ten cents for each name for
29 an electronic data medium, plus the cost of the blank computer disk or
30 computer software if furnished by the recorder, for each copy so furnished.

31 F. Any person in possession of a precinct register, in whole or part,
32 or any reproduction of a precinct register, shall not permit such register
33 to be used, bought, sold or otherwise transferred for any purpose except for
34 uses otherwise authorized by this section. A person in possession of
35 information derived from voter registration forms or precinct registers shall
36 not distribute, post or otherwise provide access to any portion of that
37 information through the internet except as authorized by subsection J of this
38 section. Nothing in this section shall preclude public inspection of voter
39 registration records at the office of the county recorder for the purposes
40 prescribed by this section, except that the month and day of birth date, the
41 social security number or any portion thereof, the Indian census number, the
42 father's name or mother's maiden name, the state or country of birth and the
43 records containing a voter's signature shall not be accessible or reproduced
44 by any person other than the voter, by an authorized government official in
45 the scope of the official's duties, for signature verification on petitions

1 and candidate filings, for election purposes, for news gathering purposes by
2 a person engaged in newspaper, radio, television or reportorial work, or
3 connected with or employed by a newspaper, radio or television station or
4 pursuant to a court order. Any person violating this subsection or
5 subsection E of this section is guilty of a class 6 felony.

6 G. The county recorder shall count the registered voters by political
7 party by precinct, legislative district and congressional district as
8 follows:

9 1. In even numbered years, the county recorder shall count all persons
10 who are registered to vote as of:

11 (a) January 1.

12 (b) March 1.

13 (c) The last day on which a person may register to be eligible to vote
14 in the next primary election.

15 (d) The last day on which a person may register to be eligible to vote
16 in the next general election.

17 (e) The last day on which a person may register to be eligible to vote
18 in the next presidential preference election.

19 2. In odd numbered years, the county recorder shall count all persons
20 who are registered to vote as of:

21 (a) January 1.

22 (b) April 1.

23 (c) July 1.

24 (d) October 1.

25 H. The county recorder shall report the totals to the secretary of
26 state as soon as is practicable following each of the dates prescribed in
27 subsection G of this section. The report shall include completed
28 registration forms returned in accordance with section 16-134, subsection B.
29 The county recorder shall also provide the report in a uniform electronic
30 computer media format that shall be agreed upon between the secretary of
31 state and all county recorders. The secretary of state shall then prepare
32 a summary report for the state and shall maintain that report as a permanent
33 record.

34 1. The county recorder shall provide to the secretary of state a list
35 of registered voters in the county, including the voter's name, year DATE of
36 birth and state of birth along with the count of registered voters pursuant
37 to subsection G of this section. The list of registered voters is a public
38 record and shall be in a format agreed upon between the secretary of state
39 and each county recorder. The list shall be labeled to show that it is not
40 an official listing of registered voters. The secretary of state shall
41 compare the lists to identify persons registered in more than one county. If
42 a person is registered in more than one county, the secretary of state shall
43 notify, within fifteen days after receipt of the list, the county recorder
44 in each county in which the person is registered except the county recorder
45 in the county in which the person registered last. The notice shall include

1 the date of the person's latest registration. After receiving this notice
2 the county recorder shall cancel the person's registration as of the date of
3 the newest registration and notify the person of the cancellation at the
4 address provided by the secretary of state from the county of the latest
5 registration.

6 J. The county recorder shall protect access to voter registration
7 information in an auditable format and method specified in the secretary of
8 state's electronic voting system instructions and procedures manual that is
9 adopted pursuant to section 16-452.

10 Sec. 2. Section 16-311, Arizona Revised Statutes, is amended to read:

11 16-311. Nomination papers; filing; definitions

12 A. Any person desiring to become a candidate at a primary election for
13 a political party and to have the person's name printed on the official
14 ballot shall be a qualified elector of such party and shall, not less than
15 ninety nor more than one hundred twenty days before the primary election,
16 sign and cause to be filed a nomination paper giving the person's actual
17 RESIDENCE address or description of place of residence and post office
18 address, naming the party of which the person desires to become a candidate,
19 stating the office and district or precinct, if any, for which the person
20 offers the person's candidacy, stating the exact manner in which the person
21 desires to have the person's name printed on the official ballot pursuant to
22 subsection G, and giving the date of the primary election and, if nominated,
23 the date of the general election at which the person desires to become a
24 candidate. A candidate for public office shall be a qualified elector at the
25 time of filing and shall reside in the county, district or precinct which the
26 person proposes to represent.

27 B. Any person desiring to become a candidate at any nonpartisan
28 election and to have the person's name printed on the official ballot shall
29 be at the time of filing a qualified elector of such county, city, town or
30 district and, not less than ninety nor more than one hundred twenty days
31 before the election, shall sign and cause to be filed a nomination paper
32 giving the person's ACTUAL RESIDENCE ADDRESS OR DESCRIPTION OF place of
33 residence and post office address, stating the office and county, city, town
34 or district and ward or precinct, if any, for which the person offers the
35 person's candidacy, stating the exact manner in which the person desires to
36 have the person's name printed on the official ballot pursuant to subsection
37 G and giving the date of the election. A candidate for office shall reside
38 at the time of filing in the county, city, town, district, ward or precinct
39 which the person proposes to represent.

40 C. Notwithstanding the provisions of subsection B to the contrary, any
41 city or town may adopt by ordinance for its elections the time frame provided
42 in subsection A for filing nomination petitions. Such ordinance shall be
43 adopted not less than one hundred twenty days before the first election to
44 which it applies.

1 D. All persons desiring to become a candidate shall file with the
2 nomination paper provided for in subsection A an affidavit which shall be
3 printed in a form prescribed by the secretary of state. The affidavit shall
4 include facts sufficient to show that, other than the residency requirement
5 provided in subsection A, the candidate will be qualified at the time of
6 election to hold the office the person seeks.

7 E. The nomination paper of a candidate for the office of United States
8 senator or representative in Congress, for the office of presidential elector
9 or for a state office, including a member of the legislature, or for any
10 other office for which the electors of the entire state or a subdivision of
11 the state greater than a county are entitled to vote, shall be filed with the
12 secretary of state no later than 5:00 p.m. on the last date for filing.

13 F. The nomination paper of a candidate for superior court judge or for
14 a county, district and precinct office for which the electors of a county or
15 a subdivision of a county other than an incorporated city or town are
16 entitled to vote shall be filed with the county elections officer no later
17 than 5:00 p.m. on the last date for filing as prescribed by subsection
18 A. The nomination paper of a candidate for a city or town office shall be
19 filed with the city or town clerk no later than 5:00 p.m. on the last date
20 for filing. The nomination paper of a candidate for school district office
21 shall be filed with the county school superintendent no later than 5:00 p.m.
22 on the last date for filing.

23 G. The nomination paper shall include the exact manner in which the
24 candidate desires to have the person's name printed on the official ballot
25 and shall be limited to the candidate's surname and given name or names, an
26 abbreviated version of such names or appropriate initials such as "Bob" for
27 "Robert", "Jim" for "James", "Wm." for "William" or "S." for "Samuel".
28 Nicknames are permissible, but in no event shall nicknames, abbreviated
29 versions or initials of given names suggest reference to professional,
30 fraternal, religious or military titles. No other descriptive name or names
31 shall be printed on the official ballot, except as provided in this section.
32 Candidates' abbreviated names or nicknames may be printed within quotation
33 marks. The candidate's surname shall be printed first, followed by the given
34 name or names.

35 H. A person who does not file a timely nomination paper that complies
36 with this section is not eligible to have the person's name printed on the
37 official ballot for that office. The filing officer shall not accept the
38 nomination paper of a candidate for state or local office unless it is
39 accompanied by all of the following:

- 40 1. The nomination petition required by this title.
- 41 2. A political committee statement of organization or the five hundred
42 dollar threshold exemption statement.
- 43 3. The financial disclosure statement as prescribed for candidates for
44 that office.
- 45 I. As used in this title:

1 1. "Election district" means the state, any county, city, town,
2 precinct or other political subdivision or a special district which is not
3 a political subdivision, which is authorized by statute to conduct an
4 election and which is authorized or required to conduct its election in
5 accordance with this title.

6 2. "Nomination paper" means the form filed with the appropriate office
7 by a person wishing to declare the person's intent to become a candidate for
8 a particular political office.

9 Sec. 3. Section 16-312, Arizona Revised Statutes, is amended to read:

10 16-312. Filing of nomination papers for write-in candidates

11 A. Any person desiring to become a write-in candidate for an elective
12 office in any election shall file a nomination paper, signed by the
13 candidate, giving the person's actual RESIDENCE address or description of
14 place of residence and post office address, age, length of residence in the
15 state and date of birth.

16 B. A write-in candidate shall file the nomination paper no later than
17 5:00 p.m. on the fourteenth day prior to the election. The write-in filing
18 procedure shall be in the same manner as prescribed in section 16-311. Any
19 person who does not file a timely nomination paper shall not be counted in
20 the tally of ballots. The filing officer shall not accept the nomination
21 paper of a candidate for state or local office unless it is accompanied by
22 both of the following:

23 1. A political committee statement of organization or the five hundred
24 dollar threshold exemption statement.

25 2. The financial disclosure statement as prescribed for candidates for
26 that office.

27 C. The secretary of state shall notify the various boards of
28 supervisors as to write-in candidates filing with the secretary of state's
29 office. The county school superintendent shall notify the appropriate board
30 of supervisors as to write-in candidates filing with the superintendent's
31 office. The board of supervisors shall notify the appropriate election board
32 inspector of all candidates who have properly filed such statements. In the
33 case of a city or town election, the city or town clerk shall notify the
34 appropriate election board inspector of candidates properly filed. No other
35 write-ins shall be counted. The election board inspector shall post the
36 notice of official write-in candidates in a conspicuous location within the
37 polling place.

38 D. Except as provided in section 16-343, subsection E, a candidate may
39 not file pursuant to this section if any of the following applies:

40 1. For a candidate in the general election, the candidate ran in the
41 immediately preceding primary election and failed to be nominated to the
42 office sought in the current election.

43 2. For a candidate in the general election, the candidate filed a
44 nomination petition for the immediately preceding primary election for the

1 office sought and failed to provide a sufficient number of valid petition
2 signatures as prescribed by section 16-322.

3 3. For a candidate in the primary election, the candidate filed a
4 nomination petition for the current primary election for the office sought
5 and failed to provide a sufficient number of valid petition signatures as
6 prescribed by section 16-322.

7 E. A person who files a nomination paper pursuant to this section for
8 the office of president of the United States shall designate in writing to
9 the secretary of state at the time of filing the name of the candidate's
10 vice-presidential running mate, the names of presidential electors who will
11 represent that candidate and a statement signed by the vice-presidential
12 running mate and designated presidential electors that indicates their
13 consent to be designated. A nomination paper for each presidential elector
14 designated shall be filed with the candidate's nomination paper. The number
15 of presidential electors shall equal the number of United States senators and
16 representatives in Congress from this state.

17 Sec. 4. Section 16-315, Arizona Revised Statutes, is amended to read:
18 16-315. Form of petitions

19 A. The nomination petitions shall be in substantially the following
20 form:

21 1. Petitions shall be on paper fourteen inches wide and eight and
22 one-half inches long.

23 2. Petitions shall be headed by a caption stating the purpose of the
24 petition, followed by the body of the petition stating the intent of the
25 petitioners.

26 3. There shall be fifteen lines spaced three-eighths of an inch apart
27 and consecutively numbered one through fifteen.

28 4. The signature portion of the petition shall be divided into columns
29 headed by the titles: signature; printed name; actual RESIDENCE address or
30 description of place of residence, city, town or post office; and date of
31 signing.

32 5. A photograph of the candidate may appear on the nomination
33 petition.

34 B. The following shall appear on the petition:

35 Instructions for Circulators

36 1. All petitions shall be signed by circulator.

37 2. Circulator must be qualified to register to vote in this state.

38 3. Circulator's name shall be typed or printed under such person's
39 signature.

40 4. Circulator's ACTUAL residence address or, if no street address, a
41 description of residence location shall be included on the petition.

42 C. The secretary of state shall prepare sample nomination petition
43 forms and distribute such forms to all election officers.

1 Sec. 5. Section 16-344, Arizona Revised Statutes, is amended to read:
2 16-344. Office of presidential elector; appointment by state
3 committee chairman

4 A. The chairman of the state committee of a political party which is
5 qualified for representation on an official party ballot at the primary
6 election and accorded a column on the general election ballot shall appoint
7 candidates for the office of presidential elector equal to the number of
8 United States senators and representatives in Congress from this state and
9 shall file for each candidate with the secretary of state, not less
10 than ninety days or more than one hundred twenty days before the primary
11 election, by 5:00 p.m. on the last day for filing:

12 1. A nomination paper giving the candidate's ACTUAL RESIDENCE ADDRESS
13 OR DESCRIPTION OF place of residence and post office address, naming the
14 party of which the candidate desires to become a candidate, stating his
15 candidacy for the office of presidential elector, stating the exact manner
16 in which the candidate desires to have his name printed on the official
17 ballot pursuant to section 16-311, subsection G, and stating the date of the
18 general election at which he desires to become a candidate.

19 2. An affidavit including facts sufficient to show that the candidate
20 resides in this state and will be qualified at the time of the election to
21 hold the office of presidential elector.

22 B. The nomination paper and affidavit of qualification pursuant to
23 subsection A of this section shall be printed in a form prescribed by the
24 secretary of state.

25 Sec. 6. Section 16-558.02, Arizona Revised Statutes, is amended to
26 read:

27 16-558.02. Replacement ballots

28 A. The county recorder or other officer in charge of the election
29 shall determine a central location in the district for electors to obtain a
30 replacement ballot. The location shall be open until 7:00 p.m. of the day
31 of the election. An elector may obtain a replacement ballot until 7:00 p.m.
32 on the day of the election on presentation of a signed, sworn statement that
33 the ballot was lost, spoiled, destroyed or not received.

34 B. The recorder or other officer in charge of elections shall keep a
35 record of each replacement ballot provided pursuant to this section.

36 C. If an elector to whom a replacement ballot is issued votes more
37 than once, only the last FIRST ballot received shall be counted.

38 Sec. 7. Section 16-902.01, Arizona Revised Statutes, is amended to
39 read:

40 16-902.01. Registration of political committees; contents;
41 amendment

42 A. Each political committee that intends to accept contributions or
43 make expenditures of more than five hundred dollars shall file a statement
44 of organization with the filing officer before accepting contributions,
45 making expenditures, distributing any campaign literature or circulating

1 petitions. Each political committee that intends to accept contributions or
2 make expenditures of five hundred dollars or less shall file a signed
3 exemption statement that states that intention before making any
4 expenditures, accepting any contributions, distributing any campaign
5 literature or circulating petitions. If a political committee that has filed
6 a five hundred dollar exemption statement receives contributions or makes
7 expenditures of more than five hundred dollars, that political committee
8 shall file a statement of organization with the filing officer within five
9 business days after exceeding the five hundred dollar limit.

10 B. The statement of organization of a political committee shall
11 include all of the following:

12 1. The name, address and type of committee.

13 2. The name, address, relationship and type of any sponsoring
14 organization.

15 3. The names, addresses, telephone numbers, occupations and employers
16 of the chairman and treasurer of the committee.

17 4. In the case of a candidate's campaign committee, the name, address,
18 office sought and party affiliation of the candidate.

19 5. A listing of all banks, safety deposit boxes or other depositories
20 used by the committee.

21 C. Except as prescribed by subsection E of this section, on the filing
22 of a statement of organization, a political committee shall be issued an
23 identification number.

24 D. The political committee shall file an amended statement of
25 organization reporting any change in the information prescribed in subsection
26 B of this section within five business days after the change.

27 E. A standing political committee shall file a statement of
28 organization with the secretary of state and in each jurisdiction in which
29 the committee is active, and only the secretary of state shall issue an
30 identification number for the committee. The statement of organization shall
31 include a statement with the notarized signature of the chairman or treasurer
32 of the standing political committee that declares the committee's status as
33 a standing political committee. The secretary of state may charge an annual
34 fee for the filing.

35 F. FOR A POLITICAL COMMITTEE THAT MAKES EXPENDITURES IN AN ATTEMPT TO
36 INFLUENCE THE RESULTS OF A BALLOT PROPOSITION ELECTION, THE STATEMENT OF
37 ORGANIZATION SHALL INCLUDE IN THE NAME OF THE POLITICAL COMMITTEE, THE
38 OFFICIAL SERIAL NUMBER FOR THE PETITION AND A STATEMENT AS TO WHETHER THE
39 POLITICAL COMMITTEE SUPPORTS OR OPPOSES THE PASSAGE OF THE BALLOT MEASURE.

40 Sec. 8. Section 19-114, Arizona Revised Statutes, is amended to read:

41 19-114. Prohibition on circulating petitions by certain
42 persons; statement of organization or exemption

43 A. No county recorder or justice of the peace and no person other than
44 a person who is qualified to register to vote pursuant to section 16-101 may
45 circulate an initiative or referendum petition and all signatures verified

1 by any such person shall be void and shall not be counted in determining the
2 legal sufficiency of the petition.

3 B. Signatures obtained on initiative and referendum petitions by a
4 political committee proposing the initiative or referendum or any of its
5 officers, agents, employees or members prior to the filing of the committee's
6 statement of organization OR PRIOR TO THE FILING OF THE FIVE HUNDRED DOLLAR
7 THRESHOLD EXEMPTION STATEMENT PURSUANT TO SECTION 16-902.01 are void and
8 shall not be counted in determining the legal sufficiency of the petition.

9 Sec. 9. Section 19-121.02, Arizona Revised Statutes, is amended to
10 read:

11 19-121.02. Certification by county recorder

12 A. Within ten days, excluding Saturdays, Sundays and other legal
13 holidays, after receiving the facsimile signature sheets from the secretary
14 of state pursuant to section 19-121.01, the county recorder shall determine
15 which signatures of individuals whose names were transmitted shall be
16 disqualified for any of the following reasons:

17 1. No residence address or description of residence location is
18 provided.

19 2. No date of signing is provided.

20 3. The signature is illegible and the signer is otherwise
21 unidentifiable.

22 4. The address provided is illegible or nonexistent.

23 5. The individual was not a qualified elector on the date of signing
24 the petition.

25 6. The individual was a registered voter but was not at least eighteen
26 years of age on the date of signing the petition or affidavit.

27 7. The signature was disqualified after comparison with the signature
28 on the affidavit of registration.

29 8. If a petitioner signed more than once, all but one otherwise valid
30 signature shall be disqualified.

31 9. For the same reasons any signatures or entire petition sheets could
32 have been removed by the secretary of state pursuant to section 19-121.01,
33 subsection A.

34 B. Within the same time period provided in subsection A of this
35 section, the county recorder shall certify to the secretary of state the
36 following:

37 1. The name of any individual whose signature was included in the
38 random sample and disqualified by the county recorder together with the
39 petition page and line number of the disqualified signature.

40 ~~2. The name of any other individual petition signer whose signature~~
41 ~~was disqualified by the county recorder together with the petition page and~~
42 ~~line number of the disqualified signature.~~

3. 2. The total number of signatures selected for the random sample and transmitted to the county recorder for verification and the total number of random sample signatures disqualified as well as the total number of all other individual signatures disqualified.

C. The secretary of state shall prescribe the form of the county recorder's certification.

D. At the time of the certification, the county recorder shall:

1. Return the facsimile signature sheets to the secretary of state.

2. Send notice of the results of the certification by mail to the person or organization that submitted the initiative or referendum petitions and to the secretary of state.

Sec. 10. Section 19-204, Arizona Revised Statutes, is amended to read:

19-204. Form of petition

A. The caption and body of a recall petition shall be substantially as follows:

RECALL PETITION

We, the qualified electors of the electoral ELECTORAL district from which

(Name and title of office)

was elected, demand his recall.

The grounds of this demand for recall are as follows:

(State in two hundred words or less the grounds of the demand)

B. The remaining portion of the petition shall be as prescribed for initiative and referendum EXCEPT THAT A DESIGNATION FOR PAID OR VOLUNTEER CIRCULATORS IS NOT REQUIRED ON THE PETITION AND SIGNATURES ARE VALID WITHOUT REGARD TO WHETHER THEY WERE COLLECTED BY A PAID OR VOLUNTEER CIRCULATOR.

Sec. 11. Section 19-212, Arizona Revised Statutes, is amended to read:

19-212. Nomination petition; form; filing

A. Unless he THE OFFICER otherwise requests in writing, the name of the officer against whom a recall petition is filed shall be placed as a candidate on the official ballot without nomination. Other candidates for the office may be nominated to be voted upon at the election, but the name of no candidate, whose nomination petition is signed by fewer qualified electors of the electoral district from which the officer sought to be recalled was elected than as is provided in section 16-322, AND shall be placed upon the official recall ballot AFTER FILING A NOMINATION PETITION THAT IS SIGNED BY A NUMBER OF QUALIFIED ELECTORS THAT IS EQUAL TO AT LEAST TWO PER CENT OF THE TOTAL VOTES CAST FOR ALL CANDIDATES FOR THAT OFFICE AT THE LAST ELECTION FOR THAT OFFICE. NOMINATION PETITION SIGNERS SHALL BE QUALIFIED ELECTORS OF THE ELECTORAL DISTRICT OF THE OFFICER AGAINST WHOM THE RECALL PETITION IS FILED.

1 B. The title and body of the nomination petition shall be
2 substantially in the following form:

3 Nomination Petition--Recall Election

4 We, the undersigned electors, qualified to vote in the
5 recall election mentioned herein, residents of the precinct
6 indicated by the residence addresses given, and residents of the
7 county of _____, state of Arizona, hereby nominate _____, who
8 resides at _____, in the county of _____ to be a candidate in
9 the recall election for the office of _____ to be held on
10 _____, and we further declare that

11 (date)

12 we have not signed and will not sign any nomination paper for
13 any other person for such office.

14 The remainder of the petition shall be substantially in the form prescribed
15 in section 16-315.

16 C. If recall petitions have been filed against more than one member
17 of a multimember public body whose members serve at large, the nomination
18 petition and paper of the other candidates shall state which member they
19 oppose.

20 D. To each nomination petition shall be appended a certificate by a
21 person who is qualified to register to vote pursuant to section 16-101
22 stating that to the best of his knowledge and belief all the signers of the
23 nomination petition are qualified electors of the precinct which they give
24 as their residence.

25 E. Such nomination petition shall be filed not more than ninety days
26 nor less than sixty days prior to the date of the recall election.

27 Sec. 12. Voter registration and mailing address study
28 committee; membership; duties; report

29 A. The voter registration and mailing address study committee is
30 established consisting of the following members:

31 1. Two members of the house of representatives who are appointed by
32 the speaker of the house of representatives and who are not members of the
33 same political party.

34 2. Two members of the senate who are appointed by the president of the
35 senate and who are not members of the same political party.

36 3. The secretary of state or the secretary's designee.

37 4. One county recorder or the recorder's designee from a county with
38 a population of more than seven hundred thousand persons and who is appointed
39 by the Arizona association of counties.

40 5. Two county recorders or the recorders' designees from counties with
41 a population of less than seven hundred thousand persons and who are
42 appointed by the Arizona association of counties.

43 6. One county elections director or the director's designee from a
44 county that is not represented by appointments made pursuant to paragraphs
45 4 and 5 and who is appointed by the Arizona association of counties.

1 B. Committee members are not eligible to receive compensation, but are
2 eligible for reimbursement of expenses pursuant to title 38, chapter 4,
3 article 2, Arizona Revised Statutes.

4 C. The committee shall:

5 1. Review the signature and address verification process performed by
6 county recorders in registering voters and verifying petition signatures.

7 2. Review and analyze the record keeping process for voter
8 registration forms that are maintained by county recorders.

9 3. Collect information regarding the prevalence and location of
10 communities in this state that routinely use only a post office address or
11 rural route address.

12 4. Consider development of processes and procedures to be used by
13 county recorders to avoid automatic disqualification of signatures, petitions
14 and election forms that indicate a post office box instead of an actual
15 residence address, if the actual residence address is properly indicated on
16 the voter registration form.

17 5. Consider development of additional processes and procedures to
18 continue to protect voter registration rolls.

19 6. Make recommendations for possible statutory changes relating to the
20 issues considered by the committee.

21 D. The committee shall use the services of legislative staff as
22 required.

23 E. On or before December 15, 2002 and December 15, 2003 the committee
24 shall submit a written report of its findings and recommendations to the
25 speaker of the house of representatives, the president of the senate and the
26 governor. The committee shall provide a copy of the report to the secretary
27 of state, the director of the Arizona state library, archives and public
28 records and to each of the county recorders of this state.

29 Sec. 13. Delayed repeal

30 Section 12 of this act, relating to the voter registration and mailing
31 address study committee, is repealed from and after December 31, 2003.

32 Sec. 14. Effective date

33 Sections 16-311, 16-312 and 16-315, Arizona Revised Statutes, as
34 amended by this act, are effective from and after December 31, 2002.

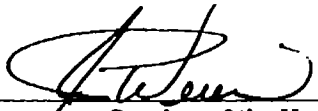
APPROVED BY THE GOVERNOR MAY 30, 2002.


FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 30, 2002.

Passed the House April 29, 2002,

by the following vote: 52 Ayes,

4 Nays, 4 Not Voting

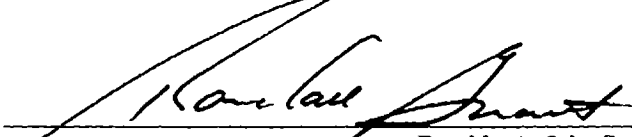

Speaker of the House



Chief Clerk of the House

Passed the Senate March 27, 2002,

by the following vote: 25 Ayes,

5 Nays, 0 Not Voting


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

Approved this _____ day of

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

S.B. 1285

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 21, 2002,

by the following vote: 46 Ayes,

1 Nays, 13 Not Voting

Jake Fluke
Speaker of the House
Pro Tempore

Norman L. Moore
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 21, 2002,

by the following vote: 26 Ayes,

1 Nays, 3 Not Voting

Karlene Ant
President of the Senate

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 22 day of May, 2002

at 2:48 o'clock P M.

Jander Stan
Secretary to the Governor

Approved this 30 day of

May, 2002,

at 11:48 o'clock 9 M.

Jan Klu Hull
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30 day of May, 2002

at 3:49 o'clock P M.

Betty Lyles
Secretary of State

S.B. 1285